

**FORD & HUFF** LC  
ATTORNEYS AT LAW

September 21, 20022

**VIA ECF**

Hon. Mag. Judge Stewart D. Aaron  
Daniel Patrick Moynihan Courthouse  
400 Pearl Street, Room 1790  
New York, NY 10007

**Re: Second Joint Letter re: Discovery Status**

Stephen Gannon v. 486 Ninth Avenue LLC, Hudson Yards Wines & Spirits Inc., et al.  
Case # 1:22-cv-1145

Dear Judge Aaron,

This letter is jointly submitted from Plaintiff's counsel and Defendant *486 Ninth Avenue LLC* pursuant to this Court's order dated June 22, 2022 (Dkt. No. 20), which instructed: "The parties shall file another joint letter regarding the status of discovery on September 21, 2022. Plaintiff's counsel has not yet heard back from Defendant *Hudson Yards Wines & Spirits Inc.* regarding this letter.

To date no substantive discovery has been undertaken in the case and no significant productive settlement discussions have taken place. Plaintiff's counsel was involved in a serious car accident after the last order of this Court. Plaintiff's counsel is a service-related disabled veteran of the U.S. Army and suffered a severe concussion in the accident, aggravating a pervious service-related head injury. Plaintiff's counsel is recovering and has added additional staff to assist him with his case load. Plaintiff's counsel apologizes to the Court and opposing counsel for not pushing the case forward as he would have liked and commits to do so in the future.

Counsel for all parties will work together to propose a newly amended case management order to place before the Court for its consideration within two weeks of this letter.

We thank the court for its attention in this matter.

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**Re: 486 Ninth Avenue LLC, Hudson Yards Wines & Spirits Inc., et al.**

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**Joint Letter re: Discovery Status**

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Respectfully Submitted,

**FORD & HUFF LC**

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cc: All Counsel of Record (via ECF)